



12/28/2016

Cascade County, Montana
Storm Water Management Plan (SWMP)

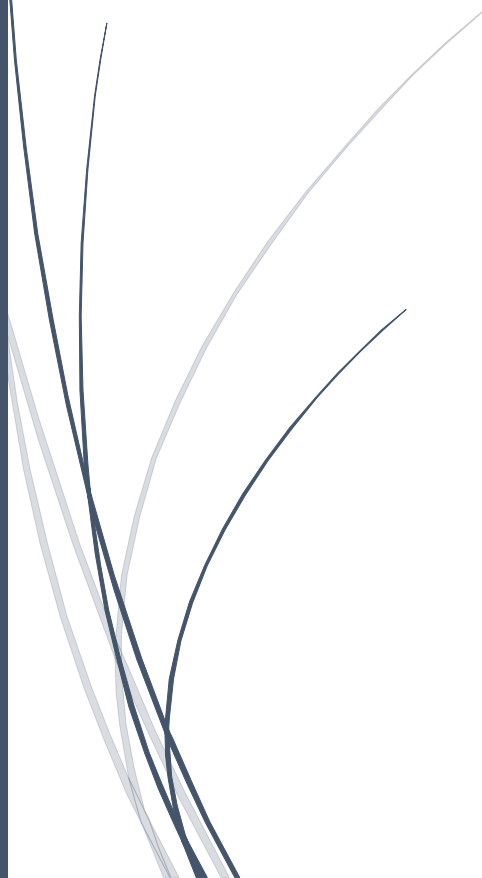


Table of Contents

Part I. Permit Coverage	2
Part II. Minimum Measures	3
2.1 Public Education and Outreach	3
2.2 Public Participation and Involvement	5
2.3 Illicit Discharge Detection and Elimination	7
2.4 Construction Site Storm Water Management	12
2.5 Post – Construction Site Storm Water Management	16
2.6 Pollution Prevention and Good Housekeeping	22
Part III. Special Conditions	26
Part IV. Monitoring, Recording, and Reporting Requirements	27
Part V. Compliance Responsibilities	32
Part VI. General requirements	34
Part VII. Definitions	38

Part I. Permit Coverage

This Storm Water Management Plan (SWMP) was developed by Cascade County (CC) to satisfy the applicable requirements of the Montana Pollutant Discharge Elimination System (MPDES) General Permit for Storm Water Discharge Associated with Small Traditional MS4 designations. This SWMP describes the procedures and practices CC will use to protect water quality by minimizing the discharge of storm water to the maximum extent practicable (MEP). Compliance can be achieved by addressing the six minimum control measures described in this application. They include the following:

1. Public Education and Outreach;
2. Public Involvement and Participation;
3. Illicit Discharge Detection and Elimination (IDDE);
4. Construction Site Storm Water Runoff Control;
5. Post-Construction Site Storm Water Management in New Development and Redevelopment; and
6. Pollution Prevention/Good Housekeeping for Municipal Operations.

Part II. Minimum Measures

A. Storm Water Management

Within 60 days of the permit effective date, CC will develop a storm water management team to include a primary SWMP coordinator and organizational chart which identifies the position responsible for implementing each minimum measure. Updates will be submitted with annual reports.

The following sections describe each of the six control measures.

2.1 Public Education and Outreach

CC will implement and maintain a program for Public Education and Outreach on Storm Water Impacts and maintain documentation with respect to the development of the program. These control measures include the following.

Minimum Measure	BMP	Implementation Schedule
a. Determine key target audiences most appropriate for storm water outreach.	<ul style="list-style-type: none">• Prepare list of business types and/or residential behaviors that are common sources of illicit discharges, spills, and dumping• Prepare list, description, and rationale for selecting these key target audiences based on business and residential groups associated with illegal discharges and improper disposal of waste to the MS4.• List the pollutants associated with each key target audience.	Submit with 1 st annual report.

Prepare Cascade County storm water website.	<p>Website will be available on the internet and include.</p> <ul style="list-style-type: none"> • The General Permit • Outreach material • Outreach event information (most recent and current) • Storm water management program documents and updates • Annual reports • Mechanism for providing continued public input for the SWMP • Information regarding how to identify sources of illicit discharges • Procedure to report illicit discharges • Summary of the requirements for covered construction activities • Procedure to submit construction project complaints 	On-line with 1 st annual report
b. Website public outreach	<ul style="list-style-type: none"> • Outreach messages to promote the benefits of non-polluting behavior • Storm water discharge benefits 	On-line with 2 nd annual report
c. Outreach Strategy for specific storm water polluting behavior	<ul style="list-style-type: none"> • Distribution of storm water prevention material to key target audience. 	On-line with 2 nd annual report
Outreach material	Outreach material will be made available as downloads through the website.	On-line with 3 rd , 4 th , and 5 th annual reports

2.2 Public Participation and Involvement

CC will comply with state and local public notice requirements.

Minimum Measures	BMP	Implementation Schedule
a. Develop strategies for key target audiences in SWMP development and implementation	Identify approaches for involving the key target audiences in the development of the SWMP including. <ul style="list-style-type: none">• The approach• Target dates for implementation• Purpose of the involvement approach• Whenever possible CC will identify existing organizations with memberships that represent some or all of the key target audiences and describe opportunities for partnering in SWMP development and implementation• Collaboration with existing organization will be documented	Submit with 1 st annual report
Implement documentation participation key target audience feedback	Implement identified involvement approaches for key target audiences. Document participation of key target audience feedback.	Submit with 3 rd , 4 th , and 5 th annual reports

<p>b. Use of website for public involvement</p>	<p>CC Website will include the following for public involvement on the internet, which includes.</p> <ul style="list-style-type: none"> • Outreach material • Recent and current outreach event information • SWMP Planning documents • Annual reports • A mechanism for collecting public input for the SWMP • Illicit discharge and construction project complaints. 	<p>Online with 1st annual report</p>
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2.3 Illicit Discharge Detection and Elimination

CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity. CC will develop and implement measures to detect illicit discharges into the permitted Small MS4 (as defined in ARM 17.30.1102(7)).

Minimum Measures	BMP	Implementation Schedule
a. Illicit discharges of significant contributors of pollutants to MS4 identified in ARM 17.30.111 6 (D) iii A and B	<p>CC will submit and evaluate in each annual report the following:</p> <ul style="list-style-type: none"> List of non-storm water discharges that are significant contributors of pollution. Pollution associated with each non-storm water significant contributor. Documentation of any local controls or conditions placed on these discharges. 	Submit with Annual report
b. Incidental non-storm water discharges that are not illicit.	<p>CC will submit and evaluate in each annual report the following:</p> <ul style="list-style-type: none"> List of occasional incidental non-storm water discharges that are not illicit. Pollutants associated with each event Documents of any local controls or conditions on events. 	Submit with Annual report
Provision prohibiting any occasional incidental non-storm water discharge that is determined to be contributing significant amounts of pollutants to the Small MS4 in appropriate ordinances, regulatory mechanism or memoranda of agreements.	<p>CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity.</p> <p>CC does require applicants to contact DEQ regarding storm water management.</p>	If informal responses are not effective, CC will notify DEQ if any illicit discharges are observed from construction sites or any other event that may affect storm water quality and the intent of this permit.

	<p>CC will, upon observation or notification of an illicit discharge, undertake the following.</p> <ul style="list-style-type: none"> • Observe and confirm illicit discharge • Document illicit discharge • Interact with entities who may be responsible or are aware of the illicit discharge. <p>CC will develop an informal response to illicit discharges that include:</p> <ul style="list-style-type: none"> • Telephone notification • Verbal and/or written notice • Meetings 	Submit with 2 nd Annual report
c. Storm water infrastructure	<p>CC will submit a map with storm water infrastructure including:</p> <ul style="list-style-type: none"> • Location and number of all outfalls • Name and location of all surface waters that receive discharges from outfalls. • Inlets • Open channels • Subsurface conduits/pipes • Dry wells • Other discrete conveyances • Identify high priority areas 	Submit with 1 st Annual report.
d. Prohibit through ordinance or other regulatory mechanisms, non-storm water discharges into regulated storm sewer system	CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity.	If informal responses are not effective, CC will notify DEQ if any illicit discharges are observed from construction

and implement appropriate enforcement procedures and actions.	<p>CC will, upon observation or notification of an illicit discharge, undertake the following.</p> <ul style="list-style-type: none"> • Observe and confirm illicit discharge • Document illicit discharge • Interact with other entities regarding the illicit discharge. <p>CC will develop an informal response to illicit discharges that include:</p> <ul style="list-style-type: none"> • Telephone notification • Verbal and/or written notice • Meetings 	<p>sites or any other event that may affect storm water quality and the intent of this permit.</p> <p>Recorded illicit discharges will be reported in the Annual report.</p>
Neighboring MS4s	<p>CC will work with neighboring MS4s to detect illicit discharges, which may originate outside the MS4. Formalized cooperative agreements will be sought.</p>	<p>Submit with 2nd annual report.</p>
Enforcement Response Plan (ERP)	<p>CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity.</p> <p>CC will, upon observation or notification of an illicit discharge, undertake the following.</p> <ul style="list-style-type: none"> • Observe and confirm illicit discharge • Document illicit discharge • Interact with other entities regarding the illicit discharge. <p>CC will develop an informal response to illicit discharges that include:</p> <ul style="list-style-type: none"> • Telephone notification 	<p>If informal responses are not effective, CC will notify DEQ if any illicit discharges are observed from construction sites or any other event that may affect storm water quality and the intent of this permit.</p>

	<ul style="list-style-type: none"> • Verbal and/or written notice • Meetings 	
Informal Response	<p>CC will develop an informal response to illicit discharges that may include:</p> <ul style="list-style-type: none"> • Telephone notification • Verbal and/or written notice • Meetings 	<p>Submit with 2nd Annual Report</p> <p>Implement informal responses end of 2nd permit Year</p>
e. Dry Weather Screening	CC will inspect and screen all outfalls during dry weather using the outfall field screening protocol developed by the <i>Center for Watershed Protection</i> or equivalent process.	Completed by the end of the 5 th year. Progress documented in Annual Reports.
High Priority Outfalls	<p>CC will prioritize high priority outfalls using appropriate sources. High priority outfalls will be determined by:</p> <ul style="list-style-type: none"> • Industrial Areas • Illicit discharges have been detected during past permit terms • Areas prone to incidents of illegal dumping • Areas drained by the oldest portions of the Small MS4 infrastructure • Areas served by onsite sewage disposal systems • Areas which discharge into impaired water bodies. 	Priority list will be submitted with 2 nd Annual report and re-evaluated 3 rd - 5 th annual reports
Screening High Priority Outfalls	CC will inspect and screen all high priority outfalls during dry weather a minimum of once a year	Summary Report will be submitted with 3 rd - 5 th Annual reports

f. Investigation of illicit dry weather discharge	<p>CC will develop an Illicit dry weather discharge investigation plan, which will include the following:</p> <ul style="list-style-type: none"> • Notify DEQ of illicit discharge • Good faith effort to locate and identify the illicit discharge • Investigate all illicit discharges within 7 calendar days. Document circumstances that prevented this timeframe. 	Submit Plan with 1 st Annual report.
Implement Illicit Investigation Plan	Plan will be implemented by the end of the 2 nd permit year	Submit in 2 nd Annual report.
Documentation	CC will maintain documents describing the dry weather illicit discharge, including public complaints.	Submit summary report with annual reports 2 nd – 5 th years.

2.4 Construction Site Storm Water Management

CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity. CC will develop and implement measures to reduce pollutants in storm water runoff to permitted MS4 waterbodies from construction activities that result in a land disturbance of greater than or equal to one acre.

Minimum Measure	BMP	Implementation Schedule
a. Effectively require, through ordinance or other regulatory mechanism, erosion and sediment controls and controls of other construction-related pollutant sources on regulated construction projects (construction storm water controls) and implement appropriate enforcement procedures and actions.	<p>CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity.</p> <p>CC does require applicants to contact DEQ regarding storm water management.</p> <p>CC will, upon observation or notification of an illicit discharge, undertake the following.</p> <ul style="list-style-type: none"> • Observe and confirm illicit discharge • Document illicit discharge • Interact with other entities regarding the illicit discharge. <p>CC will develop an informal response to illicit discharges that include:</p> <ul style="list-style-type: none"> • Telephone notification • Verbal and/or written notice • Meetings 	<p>If informal responses are not effective, CC will notify DEQ if any illicit discharges are observed from construction sites or any other event that may affect storm water quality and the intent of this permit.</p> <p>Documentation submitted with 3rd Annual report Plan will be submitted in 3rd permit year.</p>
Develop formal ERP to ensure compliance with the construction storm water management regulatory mechanisms on regulated	<p>CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity.</p> <p>CC will, upon notification of an illicit discharge,</p>	<p>If informal responses are not effective, CC will notify DEQ if any illicit discharges are observed from construction sites or any other event that may affect storm water quality and the intent of this permit.</p>

projects including private property.	<p>undertake the following.</p> <ul style="list-style-type: none"> • Observe and confirm illicit discharge • Document illicit discharge • Interact with other entities regarding the illicit discharge <p>CC will develop an informal response to illicit discharges that include:</p> <ul style="list-style-type: none"> • Telephone notification • Verbal and/or written notice • Meetings 	Documentation submitted with 3 rd permit year.
b. Construction Storm Water Management Plan Checklist	<p>CC will develop a storm water management plan review checklist, which includes.</p> <ul style="list-style-type: none"> • Inclusion for all regulated project construction storm water management plans describe the Non-Numeric Technology-based Effluent Limits of the most current Montana DEQ General permit for Storm Water Discharge Associated with Construction Activity. • Checklist will be used to ensure consistent review of submitted plans and to determine and document compliance with state and local requirements. 	Checklist will be submitted with 1 st Annual Report
c. Ensure that all construction storm water management controls are installed, operated and maintained in order to	<p>CC will develop checklist to ensure consistent and thorough regulated project inspections.</p> <p>Checklist will include the Non-Numeric Technology-based Effluent Limits of the most</p>	Checklist will be submitted with 1 st Annual Report

function as designed.	current Montana DEQ General permit for Storm Water Discharge Associated with Construction Activity.	
Implement inspection forms	CC will implement inspection forms.	Implement end 1 st permit year
Project inventory	<p>CC will record the following for every construction project covered by permit.</p> <ul style="list-style-type: none"> • Associated Authorization Number • Location • Size • Topography of site • Proximity to waterbody 	Implement end 1 st permit year
Project Priority	<p>CC will prioritize construction project based on the following.</p> <ul style="list-style-type: none"> • Project size • Proximity to a water body • Steepness of project site slopes • Discharge to waterbody impaired for pollutants • Past record of non-compliance by the operator of the construction site <p>CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity. Therefore, it cannot complete the following.</p> <p>Inspection frequency at construction sites including.</p> <ul style="list-style-type: none"> • Once at commencement of construction after BMPs have been implemented. • Once within 48-hours after a rain event of .025 inches or greater 	<p>Implement end 1st permit year.</p> <p>If informal responses are not effective, CC will notify DEQ if any illicit discharges are observed from construction sites or any other event that may affect storm water quality and the intent of this permit.</p>

	<ul style="list-style-type: none"> • At the conclusion of the project prior to finalization <p>CC cannot enforce the following.</p> <ul style="list-style-type: none"> • Recidivism reduction measures such as incentives • Disincentives • Non-compliance <p>CC will, upon notification of an illicit discharge, undertake the following.</p> <ul style="list-style-type: none"> • Observe and confirm illicit discharge • Document illicit discharge • Interact with other entities regarding the illicit discharge <p>CC will develop an informal response to illicit discharges that include:</p> <ul style="list-style-type: none"> • Telephone notification • Verbal and/or written notice • Meetings 	
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2.5 Post – Construction Site Storm Water Management New and Redevelopment

CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity. CC will develop and implement measures to address storm water runoff from new development and redevelopment projects to permitted MS4 waterbodies that disturb greater than or equal to one acre.

Minimum Measures	BMP	Implementation Schedule
<p>a. Effectively require, through ordinance, or other regulatory mechanism, post-construction storm water management controls and on regulated projects and implement appropriate enforcement procedures and actions.</p>	<p>CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity.</p> <p>CC will, upon notification of an illicit discharge, undertake the following.</p> <ul style="list-style-type: none"> • Observe and confirm illicit discharge • Document illicit discharge • Interact with other entities regarding the illicit discharge <p>CC will develop an informal response to illicit discharges that include:</p> <ul style="list-style-type: none"> • Telephone notification • Verbal and/or written notice • Meetings 	<p>If informal responses are not effective, CC will notify DEQ if any illicit discharges are observed from construction sites or any other event that may affect storm water quality and the intent of this permit.</p> <p>Implement informal response end 1st permit year</p>
<p>Develop a formal ERP to ensure compliance with installation, operation and maintenance requirements for post construction storm water management controls on regulated projects including private property.</p>	<p>CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity.</p> <p>CC will, upon notification of an illicit discharge, undertake the following.</p> <ul style="list-style-type: none"> • Observe and confirm illicit discharge • Document illicit discharge • Interact with other entities regarding the illicit discharge 	<p>If informal responses are not effective, CC will notify DEQ if any illicit discharges are observed from construction sites or any other event that may affect storm water quality and the intent of this permit.</p> <p>Implement informal response end 1st permit year</p>

	<p>CC will develop an informal response to illicit discharges that include:</p> <ul style="list-style-type: none"> • Telephone notification • Verbal and/or written notice • Meetings 	
<p>b. Require that all regulated development projects submit a site plan which is consistent with state and local post-construction requirements which incorporate consideration of potential water quality impacts including appropriate post-construction storm water management controls.</p>	<p>CC will develop and implement a plan review checklist to ensure consistent review of submitted plans and to determine and document compliance with state and local post-construction requirements.</p> <p>CC does not have the legal authority to trespass on post construction sites.</p>	<p>Implement checklist end 1st permit year</p>
<p>Regulated projects implement post construction storm water management controls.</p>	<p>CC will request from regulated project designs to infiltrate, evapo-transpire, and/or capture for reuse the post-construction runoff first .5 inches of rainfall from a 24-hour storm proceeded by 48 hours of no measurable precipitation. For projects that cannot meet 100% of the runoff reduction requirements, the remainder of the runoff from the first .5 inches of rainfall will be either:</p> <ul style="list-style-type: none"> a. Treated onsite using post-construction storm water management control(s) expected to remove 80% total suspended solids (TSS); b. Manage offsite within the same watershed using post-construction storm water management controls(s) that are designed 	<p>Implement end 1st permit year</p> <p>Submit list with 1st Annual Report</p>

	<p>to infiltrate, evapotranspire, and/or capture for reuse:</p> <p>c. Treated offsite within the same sub-watershed using post-construction storm water management control(s) expected to remove 80 percent TSS.</p> <ul style="list-style-type: none"> • Offsite treatment requirements: <p>a. Criteria must be based on multiple factors including</p> <ol style="list-style-type: none"> Technical or logistic infeasibility High groundwater Poorly infiltrating soils Shallow bedrock Prohibitive cost Land use that is inconsistent with capture and reuse or infiltration of storm water. <ul style="list-style-type: none"> • Determination may not be based solely on the difficulty and/or cost of implementation. • Develop formal review and approval process for determining project eligibility for offsite treatment. • Offsite treatment option is to be used only after all onsite options have evaluated and documented through the permittee's formal review and approval process. <p>b. A list will be maintained of utilized offsite treatment of post-construction storm water runoff with the following information.</p> <ul style="list-style-type: none"> • Geographic location of the project • Location of offsite treatment facility which the project drains to • Documentation of the rationale for approval of offsite treatment. 	
c. Ensure that all post-	CC does not have self-governing powers to enact a	If informal responses are not effective, CC

<p>construction storm water management controls are installed, operated, and maintained in order to function as designed.</p>	<p>stand-alone ordinance to regulate MS4 program activity.</p> <p>CC does not have the legal authority to trespass on post construction sites.</p> <p>CC will, upon notification of an illicit discharge, undertake the following.</p> <ul style="list-style-type: none"> • Observe and confirm illicit discharge • Document illicit discharge • Interact with other entities regarding the illicit discharge <p>CC will develop an informal response to illicit discharges that include:</p> <ul style="list-style-type: none"> • Telephone notification • Verbal and/or written notice • Meetings 	<p>will notify DEQ if any illicit discharges are observed from construction sites or any other event that may affect storm water quality and the intent of this permit.</p>
<p>Develop and/update an inventory of all new permittee owned and private post construction storm water management controls installed since the effective date of the permit.</p>	<p>CC will maintain a list including:</p> <ul style="list-style-type: none"> • Description • Location <p>of new post construction controls.</p>	<p>Submit list with 2nd Annual Report.</p>
<p>Maintain/update inventory of all existing permittee-owned and private high priority post-construction storm water management controls installed prior to the effective date of the</p>	<p>CC will maintain a list including:</p> <ul style="list-style-type: none"> • Description • Location <p>of existing post construction controls.</p> <p>Priority will be determined by the following.</p>	<p>Submit list with 3rd Annual Report</p>

permit,	<ul style="list-style-type: none"> • Operation and maintenance reported practices • Proximity to water body • Drainage area treated • Land use type • Location within an impaired waterbody watershed. 	
Inspect high priority post-construction storm water management controls.	CC will request self-inspection reports of high priority post-construction storm water management controls annually.	Submit self-inspection reports during the 3 rd , 4 th , and 5 th Annual report.
Inspect permittee-owned high priority post-construction storm water management controls annually and document findings.	CC will self-inspection permittee owned high priority post-construction storm water management controls annually.	Submit inspection reports during the 3 rd , 4 th , and 5 th Annual report.
Inspect or have inspected all high priority privately owned post construction sites	<p>CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity.</p> <p>CC does not have the legal authority to trespass on post construction sites.</p> <p>CC will request self-inspection and reporting from post construction storm water management annually</p>	Submit self-inspection reports during the 3 rd , 4 th , and 5 th Annual report.

<p>d. Incorporate recommendations and requirements into plans, policies, and ordinance which allow and support the utilization of LID concepts on public and private land.</p>	<p>CC will convene appropriate staff, if possible, to discuss the use of LID infrastructure.</p> <p>CC will document outcomes of discussions.</p>	<p>Summary submitted with 4th Annual report.</p>
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2.6 Pollution Prevention and Good Housekeeping

CC will develop and implement an operation and maintenance program, including training, which has an ultimate goal of preventing or reducing pollutant runoff from permittee operations within the 2010 Census Urban Area but outside Great Falls city boundaries. CC facilities or activities within Great Falls City boundaries are managed by the City storm water management program.

Minimum Measures	BMP	Implementation Schedule
a. Identify the operation and maintenance program to prevent or reduce pollutant runoff from permittee-owned/operated facilities and field activities	<p>CC will create a list of owned/operated facilities and activities that have the potential to release contaminants to the MS4 including;</p> <p>Facilities</p> <ul style="list-style-type: none"> • Maintenance storage yards • Waste handling and disposal areas • Vehicle fleet of maintenance shops with outdoor storage • Salt/sand storage locations • Snow or dredge material disposal areas CC owns. <p>Activities.</p> <ul style="list-style-type: none"> • Park and open space maintenance • Parking lot maintenance • Building maintenance • Road maintenance/deicing • Storm water maintenance of catch basins. <p>A list of possible contaminants from each facility and personnel responsible for pollution prevention at each facility will be compiled and updated annually</p>	Summary submitted with 1 st Annual report.
Map of facilities	CC will prepare a map with location of owned facilities and activities, which will be updated annually.	Map submitted with 2 nd , 3 rd , 4 th , and 5 th , Annual reports.
Development of SOP's	CC will develop necessary SOP's for owned facilities	SOP's will be submitted annually starting

	<p>and activities.</p> <p>SOP's will include documentation of inspections and communications with relevant department personnel of 2 facilities/activities per category prior to SOP category completion.</p> <p>The SOP's will identify storm water pollution controls to be installed, implemented, and/or maintained to minimize the discharge of contaminants.</p>	<p>with the 2nd Annual report.</p> <p>SOP's will be completed as follow. One-fourth by the end of the 2nd permit year One-half by the end of the 3rd permit year Three-fourths by the end of the 4th permit year All by the end of the 5th permit year.</p>
Training documents in conjunction with development of SOP's	CC will develop necessary training documentation in conjunction with SOP's for owned facilities and activities.	Submit with 2 nd , 3 rd , 4 th , and 5 th , Annual reports.
Training in conjunction with development of SOP's	<p>CC will conduct annual storm water pollution presentation training for all permittee staff directly involved with implementing SOP's.</p> <p>Training will be conducted during the next permit year after development of each SOP.</p> <p>Records will be retained of training and attendance.</p>	Submit with 3 rd , 4 th , and 5 th , Annual reports.

B. Training

Cascade County will conduct the following training.

1. Training the 1st year of permit for all members of storm water management team. New members will receive training within 90 days of adding to team.
2. Storm water awareness training for appropriate field staff and facility staff during 1st and 4th year. New members will receive training within 90 days of adding to team.
3. Training for all inspectors and plan reviewers during 1st and 4th year for construction site storm water management control minimum measures. New members will receive training within 90 days of adding to team.
4. Training for all inspectors and plan reviewers during 1st and 4th year for post-construction site storm water management control minimum measures. New members will receive training within 90 days of adding to team.
5. Conduct training for storm water staff responsible for implementing Standard Operating Procedures. New members will receive training within 90 days of adding to team.

C. Sharing Responsibility

If CC shares responsibilities with other entities, a binding document will be written addressing compliance with this permit.

D. Qualifying Local Program

CC is not part of a Qualifying Local Program.

E. Transfer of Ownership, Operational Authority, or Responsibility for SWMP

CC will implement the SWMP on all new areas added to the MS4 permit as expeditiously as possible. Implementation may be accomplished in phases to allow additional time for controls that cannot be implemented immediately.

Within 90 days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, CC will have a plan for implementing the SWMP on all newly added areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required for the SWMP will be included in the Annual report.

F. Storm Water Management Program Updates Required by the Department

DEQ may require changes to the SWMP as needed to:

1. Address impacts on receiving water quality caused, or contributed to, by discharges from

small MS4;

2. Include more stringent requirements necessary to comply with new federal statutory or regulatory requirements; or
3. Include such other conditions deemed necessary by the Department to comply with the goals and requirements of the Montana Water Quality Act.
4. Update BMP's as necessary to improve program effectiveness per information and data submitted in permittee's annual report.
5. Changes requested by the Department must be made in writing, set forth the time schedule for the permittee to develop the changes and update their program, and offer the permittee the opportunity to propose alternative to their program to meet the objectives of the requested changes.

Part III. Special Conditions

A. Water Quality Controls for Storm Discharges to Impaired Waterbodies Pre-Total Maximum Daily Load (TDML) Approval.

CC has identified outfalls into the lower Sun River, Missouri River at Great Falls, and lower Sand Coulee Creek. The Lower Sun River, Missouri River at Great Falls, and lower Sand Coulee Creek do not have approved MS4 WLA. Location of outfalls are shown on the Cascade County Infrastructure Map. Up dated location of outfalls will be submitted with the 1st Annual report.

The lower Sun River has a TMDL. The Missouri River and lower Sand Coulee Creek do not have an approved TMDL.

The lower Sun River impairment parameters from Table 1 in Part IV include nitrogen, phosphorus, and Total Suspended Solids (TSS).

The Missouri River at Great Falls does not have impairment parameters from Table 1 in Part IV.

Lower Sand Coulee Creek impairment parameters from Table 1 in Part IV include lead and zinc.

CC has selected Monitoring Option 2 and will submit a plan with the 1st Annual report. The plan will include strategy rationale, monitoring frequency, monitoring parameters, and monitoring locations. After approval by the Department, the plan will be made available for public review.

Part IV. Monitoring, Recording, and Reporting Requirements

A. Self-Monitoring

1. Storm Water Discharge Monitoring

CC will perform the following storm water sampling outlined in A2 and A3 below.

2. Specific Monitoring Parameters

The following monitoring parameter will be evaluated:

Table 1. Section IV Parameters

Parameter ⁽¹⁾⁽²⁾	Frequency	Type ⁽³⁾
Total Suspended Solids (TSS), mg/L	Semi-annual	Grab or Composite
Chemical Oxygen Demand (COD), mg/L	Semi-annual	Grab or Composite
Total Phosphorus, mg/L	Semi-annual	Grab or Composite
Total Nitrogen, mg/L	Semi-annual	Grab or Composite
pH, standard units	Semi-annual	Instantaneous
Copper, mg/L	Semi-annual	Grab or Composite
Lead, mg/L	Semi-annual	Grab or Composite
Zinc, mg/L	Semi-annual	Grab or Composite
Estimated Flow, gpm	Semi-annual	Instantaneous ⁽⁴⁾
Oil and Grease ⁽⁵⁾ , mg/L	Semi-annual	Grab

(1) Detection limits are pursuant to levels defined in Circular DEQ-7

(2) Total recoverable methods to be used on all metals

(3) See Definitions in Part VII of this General permit

(4) Estimated flow rates are appropriate in cases where measurement gauges are not installed

(5) Hexane extraction (EPA Method 1664A)

3. Monitoring Locations

CC has selected Monitoring Option 2. Locations are submitted with the application for General Permit coverage (Table 2).

Table 2. Option 2 Sample Location Special Conditions IV

Out Fall Map Location	Storm Water Origin	Receiving Water
CC-1	Sun River	Monitoring upstream, outside the MS4 boundary to evaluate water quality

		entering the MS4.
CC-12	Residential	Missouri River
CC-17	Industrial	Missouri River
CC-6A	Residential	Sand Coulee Creek

4. Storm Water Discharge Monitoring Schedule

CC will begin self-monitoring starting January 1, 2020.

5. Impaired Waterbodies Monitoring

See **Part III. Special Conditions.**

6. Monitoring Frequency

- a. Samples will be collected semi-annually (two times per year) for each of the listed parameters above. One sample at each sample location will be collected between January 1st and June 30th of each permitted calendar year. The other sample between July 1st and December 31st.
- b. If CC cannot collect a sample during a six-month monitoring period a substitute sample will be collected in the following six-month monitoring period. Rationale will be reported in the annual report. The substitute and required six-month sample will then be collected. The samples may be collected from back to back storm events, with at least 48 hours of no measurable precipitation.
- c. CC may request to change sample outfalls if a sample cannot be collected during a six-month sampling period. This is contingent on DEQ approval.

7. Monitoring Procedures

Monitoring will be conducted according to test procedures approved under Part 136, Title 40 of the Code of Federal Regulations.

8. Penalties for Tampering

The Montana Water Quality Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000, or by imprisonment for not more than six months, or both.

B. Reporting and Evaluation of Monitoring Results

1. Monitoring results will be reported with each annual report.
2. In each annual report, a calculation of the long term medium concentration of each parameter in Table 1 of Part IV.A. will be supplied from all monitoring results.
3. Monitoring results will be used to self-evaluate measures taken to improve the quality of storm water discharges. Each annual report shall include an evaluation of the monitoring results relative to the long term medium and will include the following:
 - Comparison between monitoring stations;
 - Discussion of trends and outliers in monitoring results compared to the calculated long-term median;
 - Discussion of exceedances of pH outside the range of 6.0 to 9.0; and
 - Schedule and rationale for BMP's planned to improve water quality of storm water discharge based on monitoring results.

C. Monitoring Records

The following information will be recorded and maintained by CC for all storm water discharges that are sampled:

1. Date, exact place, and time of sampling;
2. Estimate duration (in hours) of the storm event(s) sampled;
3. Total rainfall measurements or estimates (in inches) of the storm event which generated the sample runoff;
4. Name(s) of the individual who performed the sampling or measurements; and
5. Analytical laboratory test result data and reports for storm water samples, and/or records, which include:
 - a. The date(s) analyses were performed;
 - b. The time analyses were initiated;
 - c. The initials or name(s) of individual(s) who performed the analyses;
 - d. Reference and written procedures, when available, for the analytical techniques or methods used;
 - e. The results of such analyses, including the bench sheets, instruments readouts, computer disks or tapes etc. used to determine the results.

D. Retention of Records

CC will keep records of monitoring information and results for three years from date of sample.

E. Compliance Schedule

Reports will be submitted to DEQ electronically or paper format no later than 14 days following each schedule date unless otherwise specified by the permit.

F. Annual Report

CC will submit the following in their Annual Report:

1. An annual report will be submitted for each calendar year within the permit term;
2. Signed annual report will be submitted electronically by March 1st of each year for the preceding calendar year. Electronic submission is through NetDMR;
3. DEQ Annual Report Form will be submitted;
4. Additional requested information will be submitted with the annual report;
5. Monitoring results and evaluation will be included;
6. Dates and descriptions of the Storm Water Management Program updates will be included;
7. Maps will be included with updates;
8. Annual report will comply with signatory and certification requirements;
9. Submitted documents will be retained on site and made available upon request;
10. Annual report will comply with the signatory and certification requirements; and
11. Updates or revisions to submitted documents will be retained on site and made available upon request.

G. Changes in Storm Water Coordinator

If CC Storm Water Coordinator person/position, mailing address, email address, or telephone number should change, the Department will be notified in writing within 15 calendar days of the change. The notification will state there is a “change of the Storm Water Coordinator”. The notification will include the permit authorization number and identify CC formal “Small MS4 Name”. The notification letter will be signed by a person meeting the signatory requirements.

H. Records for Inspection

A copy of the General permit, permit authorization letter, required SWMP, annual reports, and other records required by the General permit will be maintained by the Storm Water Coordinator for this Small MS4. The documents will be made available to Department inspectors upon request.

I. Inspection and Entry

The head of DEQ, regional Administrator, or an authorized representative, upon presentation of credentials and other documents as required by law, to:

1. Enter upon the premises;
2. Will be given access to and copy at reasonable times, any record kept under the conditions of the permit;

3. Inspect at reasonable times facilities, equipment practices, and operations related to this permit; and
4. Sample or monitor at reasonable times for the purpose of assuring permit compliance, any substances or parameters.

J. Twenty-four Hour Notice of Noncompliance Reporting

CC will report any serious incident of noncompliance affecting the environment, as soon as possible, but no later than twenty-four (24) hours from the time a noncompliance was documented. The report will be made to the Water Protection Bureau at 406-444-3080 or the Office of Disaster and Emergency Services at 406-324-4777.

A written submission will also be made within five days of the time CC became aware of the noncompliance. The written submission will include:

1. A description of the noncompliance and cause;
2. The period of noncompliance, including exact dates and times;
3. The estimated time noncompliance is expected to continue if it has not been corrected already;
4. Report will be submitted to the DEQ Water Protection Bureau, P.O. Box 200901, Helena, MT 59620; and
5. The written report may be waived by DEQ

K. Other Required Reporting

CC will report any serious incident of illicit discharge affecting the environment, as soon as possible, but no later than twenty-four (24) hours from the time documentation of the circumstances occurs. The report will be made to the Water Protection Bureau at 406-444-3080.

A written submission will also be made within five days of the time CC became aware of the circumstances. The written submission will include:

1. A description of the illicit discharge and origin/cause;
2. The period of illicit charge, including exact dates and times;
3. The estimated time for correction of the illicit discharge if it has not been corrected already;
4. Report will be submitted to the DEQ Water Protection Bureau, P.O. Box 200901, Helena, MT 59620; and
5. The written report may be waived by DEQ.

Part V. Compliance Responsibilities

A. Duty to Comply

CC will comply with all conditions of the permit within the legal authority it has been granted. CC does not have self-governing powers to enact a stand-alone ordinance to regulate MS4 program activity.

Subject to the previous paragraph, any permit noncompliance constitutes a violation of the Montana Water Quality Act and is grounds for enforcement action; for termination under the General permit; or for denial of coverage under this General Permit renewal. CC will give the Department advance notice of any planned changes at the permitted facility or of an activity which may result in permit noncompliance.

B. Penalties for Violations of Permit Conditions

The Montana Water Quality Act provides that any person who violates a permit condition of the Act is subject to civil or criminal penalties not to exceed \$25,000 per day or one year in prison, or both, for the first conviction, and \$50,000 per day of violation or by imprisonment for not more than two years, or both, for subsequent violations. MCA 75-5-611(a) also provides for administrative penalties not to exceed \$10,000 for each day of violation and up to a maximum not to exceed \$100,000 for any related series of violations. Except as provided in permit conditions "Bypass of Treatment Facilities" and "Upset Conditions", nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.

C. Need to Halt or Reduce Activity not a Defense

CC will do everything within its legal authority to halt or reduce the permitted activity to include notification of MDEQ Enforcement Division in order to maintain compliance within conditions of the permit.

D. Duty to Mitigate

CC will take all reasonable steps to minimize or prevent any discharges in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. Proper Operations and maintenance

Within the 2010 census urban area, CC will operate and maintain all facilities and systems of treatment and control which are installed or used by CC to achieve compliance of the permit.

F. Removed Substances

Collected screenings, grit, solids, sludges, or other pollutants removed in the course of treatment shall be disposed of in such a manner so as to prevent any pollutant from entering any waters of the State or creating a health hazard.

Part VI General Requirements

A. Planned Changes

CC will give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility.

The alterations or additions could significantly change the nature or increase the quantity of pollutant discharged. This notification applies to pollutants which are not subject to effluent limitations in the permit, changes that will significantly change the nature or increase the quantity of pollutants discharged.

B. Anticipated Noncompliance

CC will give advance notice to the Department of any planned changes that will result in a noncompliance.

C. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by CC for a permit modification, revocation, and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

D. Duty to Reapply

If CC wishes to continue an activity regulated by this permit after the expiration date of this permit, CC will apply for and obtain a new permit. The NOI will be submitted at least 90 days before the expiration date of the permit.

E. Duty to Provide Information

CC will comply with supplying requested information by the Department.

F. Other Information

CC will promptly supply information overlooked in any report when it becomes aware of the omission. Narrative explaining the oversight will be included.

G. Signatory Requirements

All CC NOIs, reports, or information submitted to the Department or the EPA shall be signed and certified.

1. Permit Notices of Intent shall be signed by either the principal executive officer or ranking elected official.

2. All reports required by the permit and other information requested by the Department will be signed by a person described above or by a duly authorized representative of that person. A person is considered a duly authorized representative only if:
 - a. Authorization is made by person described above;
 - b. Authorization will be an individual person or a position having responsibility for the overall operation of the regulated facility or activity, including environmental matters.
3. If authorization described above changes, the Department will be notified prior to or together with any reports, information, or NOIs to be signed by the authorized representative.
4. Any person signing a document under this section will make the following certification.
5. "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

H. Penalties for Falsification of Reports

The Montana Water Quality Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation, or by imprisonment for not more than six months per violation, or by both.

I. Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. As required by the Clean Water Act, NOIs, permits and effluent data shall not be considered confidential.

J. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subjected under Section 311 of the Clean Water Act.

K. Property Rights

The issuance of this permit does not convey any property or water rights of any sort, or any exclusive privileges.

L. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

M. Transfers

This permit is not transferable to a new permittee. A new owner or operator must apply according to the standard application procedures 30 days prior to taking responsibility for the facility.

N. Fees

CC will submit payment of an annual fee set forth in ARM 17.30.201. If CC fails to pay the annual fee within 90 days after the due date for payment, the Department may:

1. Impose an additional assessment computed at the rate established under ARM 17.30.201: and,
2. Suspend the processing of the application for a new permit or authorization or, if the nonpayment involves an annual permit fee, suspend the permit, certificate or authorization for which the fee is required. The Department may lift suspension at any time up to one year after the suspension occurs if the holder has paid all outstanding fees, including all penalties, assessments and interested imposed under this sub-section. Suspensions are limited to one year, after which the permit will be terminated.

O. Reopener Provisions

This permit may be reopened and modified (following proper administrative procedures) to include the appropriate effluent limitations (and compliance schedule, if necessary), or other appropriate requirements if one or more of the following events occur:

1. **Water Quality Standard:** The water quality standards of the receiving water(s) to which the permittee discharges are modified in such a manner as to require different permit conditions than contained in this permit.
2. **Water Quality Standards Exceeded:** If it is found that water quality standards or trigger values in the receiving stream are exceeded either for parameters included in this permit or others, the Department may modify the permit conditions or water management plan.
3. **TMDL or Wasteload Allocation:** TMDL requirements or a wasteload allocation is developed and approved by the Department and/or EPA for incorporation in this permit.
4. **Water Quality Management Plan:** A revision to the current water quality management plan is approved and adopted which calls for different effluent limitations than contained in this permit.

P. Toxic Pollutants

A toxic standard or prohibition is established under Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit.

Part VII. Definitions

1. The "Act" means the Federal Clean Water Act.
2. "Best Management Practices" ("BMPs") means schedule of activities, prohibition of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of state waters. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
3. "Control measure" as used in this General Permit, means any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to state waters.
4. The "Department" means the Montana Department of Environmental Quality.
5. "Flow-weighted composite sample" means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.
6. "Grab Sample" for monitoring requirements, is defined as a single "dip and take" sample collected at a representative point in the discharge stream.
7. "Green Infrastructure" means vegetation, soils, and natural processes used to manage water and create healthier urban environments. At the scale of a city or county, green infrastructure refers to the patchwork of natural areas that provides habitat, flood protection, cleaner air, and cleaner water. At the scale of a neighborhood or site, green infrastructure refers to storm water management systems that mimic nature by soaking up and storing water.
8. "Hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to section 311 of the federal Clean Water Act.
9. "Illicit Connection" means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.
10. "Illicit discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to an MPDES permit (other than the MPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from firefighting activities.
11. "MEP" is an acronym for "Maximum Extent Practicable", the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants

in storm water discharges that was established by the Clean Water Act, Section 402(p). A discussion of MEP as it applies to Small MS4s is found in ARM 17.30.1111(5). The MEP standard requires the development, implementation, and enforcement of measures including BMPs, control techniques, system design, engineering methods, and other provisions that the Department determines to be appropriate for the control of such pollutants. MEP is an iterative, dynamic, flexible standard that the permittee shall evaluate and update continuously, as necessary, to better tailor or expand the program based on its effectiveness in reducing pollutant discharge load.

12. "MS4" means a municipal separate storm sewer system.
13. "Municipal separate storm sewer⁽¹⁾" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that discharges to surface waters and is: (a) owned or operated by the state of Montana, a governmental subdivision of the state, a district, association, or other public body created by or pursuant to Montana law, including special districts such as sewer districts, flood control districts, drainage districts and similar entities, and designated and approved management agencies under section 208 of the federal Clean Water Act, which has jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, and is:
 - a. designed or used for collecting or conveying storm water;
 - b. not a combined sewer; and
 - c. not part of a publicly owned treatment works (POTW) as defined in ARM Title 17, chapter 30, subchapter 13.
14. "Non-Traditional MS4" means MS4s which are designated as Small MS4s but are not cities or counties, such as drainage districts, transportation agencies, municipal utility districts, military bases, prisons and universities.
15. "Outfall" means the physical location where these conveyance structures discharge pollutants or storm water into surface water or where they leave the boundary of the designated MS4. The term does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances that connect segments of the same stream or other surface waters and that are used to convey surface waters.
16. "Owner or operator" means a person who owns, leases, operates, controls, or supervises a point source.
17. "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate

collection system, vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

18. "Process wastewater" means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.
19. "Small municipal separate storm sewer system" means:
 - a. small MS4s, and portions of them, that are located in the following urbanized areas in Montana as determined by the latest decennial census by the United States census bureau:
 - i. the city of Billings and Yellowstone County;
 - ii. the city of Missoula and Missoula County; and
 - iii. the city of Great Falls and Cascade County;
 - b. the following small MS4s serving a population of at least 10,000 as determined by the latest decennial census by the United States census bureau and that are located outside of an urbanized area:
 - i. MS4s located in the city of Bozeman;
 - ii. MS4s located in the city of Butte;
 - iii. MS4s located in the city of Helena; and
 - iv. MS4s located in the city of Kalispell;
 - c. MS4s designated by the department pursuant to 17.30.1107; and
 - d. systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large educational, hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.
20. "Small MS4" means a small municipal separate storm sewer system.
21. "State waters" is defined at 75-5-103, MCA.
22. "Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.
23. "Storm Water Management Program" or "SWMP" means a comprehensive program to manage the quality of storm water discharged from the Small municipal separate storm sewer system.
24. "Surface waters" means any waters on the earth's surface including, but not limited to, streams, lakes, ponds, and reservoirs, and irrigation and drainage systems discharging directly into a stream, lake, pond, reservoir, or other surface water. Water bodies used solely for treating, transporting, or impounding pollutants shall not be considered surface water.

- 25. "Time-weighted composite sample" means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.
- 26. "Total Maximum Daily Load" or "TMDL" is defined at 75-5-103, MCA.
- 27. "Traditional MS4" means all cities and counties covered by this General Permit.
- 28. "Waste Load Allocation" or "WLA" means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources.